

**SUMMARY REPORT OF INVESTIGATION****I. EXECUTIVE SUMMARY**

Date of Incident:	January 13, 2018
Time of Incident:	9:27 pm
Location of Incident:	XXXX South Exchange Avenue
Date of COPA Notification:	January 30, 2018
Time of COPA Notification:	2:19 am

On January 13, 2018 at approximately 9:30 pm, Officer A, conducted a traffic stop of Subject 1, for not having a front license plate affixed to his vehicle. Subject 1 filed a complaint with COPA alleging that he was racially profiled by Officer A; he admitted that he did not have a front license plate. COPA reviewed this allegation and reached a finding of Unfounded.

**II. INVOLVED PARTIES**

Involved Officer #1:	Officer A, Star #XXXX, Employee #XXXX, Date of Appointment, XX XX 2007, Police Officer, Unit of Assignment XXX, DOB, XX XX 1984, Male Spanish.
Witness Officer #2:	Officer B, Star# XXXX, Employee #XXXX, Date of Appointment, XX XX 2003, Police Officer, Unit of Assignment, XXX, DOB, XX XX 1977.
Witness Officer #3:	Officer C, Star #XXXX, Employee #XXXX, Date of Appointment, XX XX 2008, Police Officer, Unit of Assignment, XXX, DOB, XX XX 1982.
Reporting Party Victim:	Subject 1, 39 Years of Age, Male, Black.

**III. ALLEGATIONS**

Officer	Allegation	Finding
Officer A	1. Racially profiled Subject 1 in violation of G02-04 and Rules 2 and 6.	Unfounded

#### IV. APPLICABLE RULES AND LAWS

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##### Rules

1. **Rule 2:** Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
2. **Rule 6:** Disobedience of an order or directive, whether written or oral.

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##### General Orders

1. General Order G02-04: Prohibition Regarding Racial Profiling And Other Bias Based Policing

#### V. INVESTIGATION<sup>1</sup>

##### a. Interviews

COPA conducted **Subject 1's audio statement** on January 31, 2018. On January 13, 2018, Subject 1 related he picked his wife XXXX up from church, and they drove to the gas station. As Subject 1 was entering the gas station, Officer A, was exiting the gas station in a marked Department SUV. Subject 1 and Officer A made eye contact with each other. Officer A performed a U-turn, and looked at Subject 1's vehicle as Subject 1 was inside the gas station store. Officer A observed Subject 1's vehicle from the SUV. Thereafter, Officer A exited the gas station and parked nearby.

Upon Subject 1 exiting the gas station, Officer A trailed behind Subject 1 for approximately two blocks, before conducting a traffic stop of Subject 1, Officer A informed Subject 1 that he was stopped for not having a front license plate affixed to his vehicle. Subject 1 related to Officer A that his license plate was in his vehicle, but he did not have the screws to mount his license plate. Officer A asked Subject 1 for his driver's license and insurance. Subject 1 informed Officer A that he did not have a valid driver's license. Moments later, Officer A informed Subject 1 that he was placing him in custody for driving on a suspended license, and that his vehicle was going to be

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<sup>1</sup> COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

impounded. Subject 1 was transported to the district station where he was issued two citations, and then released.

Subject 1 believes he was racially profiled by Officer A due to the facts that Officer A made eye contact with him as he entered the gas station, Officer A did a U-turn and looked at his vehicle, the incident took place in a Hispanic neighborhood, and Officer A allowed him to drive two blocks before conducting the traffic stop. When questioned whether Officer A made any racial statement or any racial gesture etc. during this encounter, Subject 1 stated no. Subject 1 did not have any interaction with the other officers in this incident.<sup>2</sup>

#### **b. Documentary Evidence**

Officer A issued Subject 1 **traffic citations** for Driving on a Suspended License (TN-XXX-XXX), and Disregard Plate, (TN-XXX-XXX).<sup>3</sup>

Department **Attendance & Assignment Sheets** document that Officer A was working Beat XXXX, with Officers C and B, in vehicle #XXXX.<sup>4</sup>

### **VI. ANALYSIS**

COPA recommends a finding of Unfounded for **Allegation #1** against Officer A. Officer A's actions were in accordance with General Order G02-04: Prohibition Regarding Racial Profiling And Other Bias Based Policing. Subject 1 did not have a front license plate affixed to his vehicle, in violation of Chapter 625 ILCS 5/3-413 of the Illinois Vehicle Code, which provided Officer A probable cause to conduct a traffic stop. Upon approaching Subject 1, Officer A informed Subject 1 why he had been stopped, which Subject 1 acknowledged. There is no evidence to support Subject 1's allegation that Officer A racially profiled him. By his own admission, Subject 1 related that Officer A did not make any racial statements, gestures, etc. during their encounter to suggest that the traffic stop was racially motivated. For the above reasons, the allegation against Officer A is Unfounded.

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<sup>2</sup> Attachment #9.

<sup>3</sup> Attachment #8.

<sup>4</sup> Attachment #7.

**VII. CONCLUSION**

Based on the analysis set forth above, COPA makes the following findings:

Officer	Allegation	Finding
Officer A	1. Racially profiled Subject 1 in violation of G02-04 and Rules 2 and 6.	Unfounded

Approved:

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*Deputy Chief Administrator – Chief Investigator*

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Date

**Appendix A**

**Assigned Investigative Staff**

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<b>Squad#:</b>	
<b>Investigator:</b>	
<b>Supervising Investigator:</b>	
<b>Deputy Chief Administrator:</b>	